

### REMARKS

Claims 1, 8 and 26 are amended. Claims 2, 24-25 and 32-35 were previously canceled. Hence, Claims 1, 3-23 and 26-31 are pending.

#### I. CLAIMS 1 AND 26 -- OBJECTIONS

Claims 1 and 26 are objected to because of the informalities. The applicants believe that the objection is fully overcome in amended Claims 1 and 26. Reconsideration and withdrawal of the objection is respectfully requested.

#### II. ISSUES RELATING TO ALLEGED PRIOR ART

##### A. CLAIMS 1, 3-5 AND 26-30 -- § 103: IBM, BRUCKERT, PANGRAC, BYRNE

Claims 1, 3-5 and 26-30 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over IBM High Availability Cluster Multi-Processing for AIX, Concepts and Facilities Guide, ("IBM") and further in view of Bruckert et al., U.S. Patent Publication No. 2002/0049859 ("Bruckert"), and Pangrac et al., U.S. Publication No. 2001/0030785 ("Pangrac") and Byrne et al. U.S. Patent No. 6,229,787 ("Byrne") (Office Action, page 3). The rejection is respectfully traversed.

#### CLAIM 1

Support for the amendment is provided at least in paragraphs [133]-[138] and [76] (steps 8 and 11) of the applicants' specification, although Claim 1 is not viewed as limited to those paragraphs.

Claim 1 recites receiving an operation and performing the operation concurrently only on **all active routers in a cluster**. The cluster comprises a plurality of active routers, standby routers and switches, but the standby routers are not affected by the cluster operation—only the active routers are. The operation is performed on all active routers, and all the active routers in the cluster are treated as a whole.

The operation is transformed into one or more device-specific operations for each of the active routers, and the device-specific operations are performed only on all active routers **and not the standby routers in the cluster**. The device-specific operations are concurrently

communicated to the active routers, but not to the standby routers in the cluster.

It is well founded that to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a), the references cited and relied upon must teach or suggest all the claim limitations. In addition, a sufficient factual basis to support the obviousness rejection must be proffered. *In re Freed*, 165 USPQ 570 (CCPA 1970); *In re Warner*, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 148 USPQ 721 (CCPA 1966). The claims are allowable because they combined reference fail to disclose the complete claimed subject matter.

Claim 1 recites one or more features that are not disclosed in IBM, Bruckert, Pangrac and Byrne, individually or in combination. For example, the cited references fail to disclose receiving an operation to be performed concurrently on only all the active routers in a cluster, as claimed, and not on standby routers that also belong to the cluster.

The Office Action alleges that IBM discloses receiving an operation to be performed concurrently on all active routers as a whole, as recited in Claim 1. This is incorrect because IBM discloses receiving a request to make changes to a cluster as a whole (IBM, page 77, ll. 6-7) or to make changes to a single device in the cluster (IBM: page 25: ll. 6-9), not receiving an operation to be performed concurrently on all active routers as a whole in a cluster that also contains standby routers that are unaffected. In IBM, there are no operations that are performed concurrently on all and each of active routers and not on standby routers that also belong to the cluster. IBM does not describe that, in terms of performing a specified operation, the cluster comprises **active routers**, on all of which the specified operation is performed, and **standby routers**, on which the specified operation is not performed.

In IBM, a cluster comprises nodes, disk devices, network, network interfaces and clients (IBM: page 18: ll. 27-32). If one of the interface cards on a particular node fails, then IBM's system receives an interface change request to be performed on the particular node (IBM: page 25, ll. 6-12), not user input specifying an operation to be performed on all active routers in the cluster, as claimed. If a particular node needs to be added to the cluster, then IBM's system receives a request to add the particular node (IBM: page 72: ll. 27-32), not the input specifying

the operation to be performed on all active routers in the cluster, as claimed. If a configuration of the whole cluster needs to be changed, then IBM's system receives a request to modify a cluster definition for all devices in the cluster as a whole (IBM: page 73, ll. 28-33; page 77, ll. 6-8), not the input specifying the operation to be performed on only all active routers in the cluster as a whole while disregarding standby routers in the cluster.

The Office Action alleges that IBM discloses automatically and concurrently performing a specified operation on all active routers in a cluster, as recited in Claim 1. This is incorrect because IBM performs an operation either on the whole cluster (IBM, page 77, ll. 6-7) or on a single device in the cluster (IBM: page 25: ll. 6-9), but does not automatically and concurrently perform the specified operation on all the active routers and not on standby routers that also belong to the cluster.

Bruckert does not cure the deficiencies of IBM with respect to receiving an operation and performing the operation concurrently on all active routers in a cluster and not on standby routers that also belong to the cluster, as claimed. Indeed, Bruckert is merely cited to disclose a cluster that includes switches and routers (Bruckert: Para [27], FIGS. 1a, 1b), not a cluster in which an operation can be performed concurrently on all the active routers and not on the standby routers. In fact, Bruckert does not describe that a cluster comprises active routers and standby routers, as claimed. Furthermore, Bruckert does not describe that, in terms of performing a specified operation, the cluster comprises active routers and also standby routers, and that the specified operation is performed only on the active routers.

Pangrac does not cure the deficiencies of IBM and Bruckert with respect to receiving an operation and performing the operation concurrently on all active routers in a cluster and not on standby routers that also belong to the cluster. Indeed, Pangrac is merely cited to disclose switches connected to different networks (Pangrac: Para 79), not to disclose receiving and performing the operation performed only on active routers.

Byrne does not cure the deficiencies of IBM, Bruckert and Pangrac with respect to receiving an operation and performing the operation concurrently on all active routers and not on

standby routers, as claimed. Byrne discloses switching data traffic from a failed connection to a backup connection (Byrne: Abstract), not performing a specified operation only on all active routers, as claimed and not on standby routers that are also in a cluster.

Even in combination, IBM, Bruckert, Pangrac and Byrne do not provide the claimed approach. No combination provides an approach for concurrently performing a specified operation on all active routers in a cluster, and not on standby routers in the cluster, by transforming the specified operation into ... device-specific operations ... concurrently communicated to each of the active routers and not to the standby routers in the cluster, as recited in Claim 1.

Therefore, IBM, Bruckert, Pangrac and Byrne, individually or in combination, fail to describe or suggest the whole subject matter recited in Claim 1. Reconsideration and withdrawal of the rejection is respectfully requested.

#### CLAIM 26

Claim 26 recites features similar to those in Claim 1. Therefore, applicants believe that Claim 26 is patentable over IBM, Bruckert, Pangrac and Byrne, individually or in combination, for the same reasons discussed for Claim 1. Reconsideration and withdrawal of the rejection is respectfully requested.

B. CLAIMS 6-7 AND 31-32 -- § 103: IBM, BRUCKERT, PANGRAC, BYRNE, MITTAL

Claims 6-7 and 31-32 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over IBM-Bruckert-Pangrac-Byrne as applied to Claims 1 and 26 above, and further in view of Mittal et al., U.S. Patent Publication No. 2004-026811249859 ("Mittal") (Office Action, page 8). The rejection is respectfully traversed.

Claims 6-7 and 31-32 depend from Claims 1 and 26, respectively. As discussed above, IBM-Bruckert-Pangrac-Byrne, individually or in combination, fail to describe or suggest at least one feature recited in Claims 1 and 26. Further, Mittal does not cure the deficiencies of IBM-Bruckert-Pangrac-Byrne with respect to Claims 1 and 26. Therefore, IBM-Bruckert-Pangrac-

Byrne-Mittal, individually or in combination, fail to disclose the whole subject matter of Claims 1 and 26. Therefore, and due to claim dependency, IBM, Bruckert, Pangrac, Byrne and Mittal, individually or in combination, fail to disclose the whole subject matter of Claims 6-7 and 31-32. Reconsideration and withdrawal of the rejection is respectfully requested.

C. CLAIMS 8 AND 11-23 -- § 103: IBM, BRUCKERT, PANGRAC, BYRNE, JOHN  
Claims 8 and 11-23 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over IBM-Bruckert-Pangrac-Byrne as applied to Claim 1 above, and further in view of John et al., U.S. Patent Publication 2004/0088412 ("John") (Office Action: page 10). The rejection is respectfully traversed.

Claims 8-23 depend from Claim 1. As discussed above, IBM-Bruckert-Pangrac-Byrne, individually or in combination, fail to describe or suggest at least one feature recited in Claim 1. Further, John does not cure the deficiencies of IBM-Bruckert-Pangrac-Byrne with respect to Claim 1. Therefore, IBM, Bruckert, Pangrac, Byrne and John, individually or in combination, fail to disclose the whole subject matter of Claim 1. Therefore, and due to claim dependency, IBM, Bruckert, Pangrac, Byrne and John, individually or in combination, fail to disclose the whole subject matter of Claims 8-23. Reconsideration and withdrawal of the rejection is respectfully requested.

#### D. DEPENDENT CLAIMS

The claims that are not discussed above depend directly or indirectly on the claims that have been discussed. Therefore, those claims are patentable for the reasons given above. In addition, each of the dependent claims separately introduces features that independently render the claim patentable. However, due to the fundamental differences already identified, and to expedite positive resolution of the examination, separate arguments are not provided for each of the dependent claims at this time.

#### III. CONCLUSION

For the reasons set forth above, all of the pending claims are in condition for allowance. A petition for extension of time is hereby made to the extent necessary to make this reply timely

filed. If any applicable fee is missing or insufficient, the Commissioner is authorized to charge any applicable fee to our Deposit Account No. 50-1302.

Respectfully submitted,

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